

REMARKS

By this amendment, claims 1-6, 12-16 and 18-27 are now pending in this application. Claims 25-27 are added by this amendment. Each of the pending claims is believed to define an invention which is novel and unobvious over the cited references. Favorable reconsideration of this case is respectfully requested.

Claims 10 and 15 have been amended to correct the informality noted by the Examiner. Therefore the withdrawal of the objection these claims is respectfully requested.

Claims 3, 23 and 24 are rejected under 35 U.S.C. 112, first paragraph.

Regarding claim 3, the claim term "analog telephone network subscribers" is described at pages 3, lines 3-8, page 5, lines 18-22 and page 19, line 5 – page 20, line 10 of the application as filed. Therefore, there is support in the originally filed application for this claim term.

Regarding claim 23, support for the claim term "database" can be found at least at page 9, lines 1-5 of the application as originally filed. Therefore, the application as originally filed provides for support for this claim term.

Regarding claim 24, although the term "time slots" is not exactly used in the specification as originally filed, support for this claim can be found at page 10, line 13 – page 11, line 16 and the discussion regarding time division multiplexing. It is respectfully submitted that one of ordinary skill in the art would understand that the inventor had possession of the claimed invention based on at least this portion of the specification. Therefore, it is respectfully submitted that the subject matter of claim 24 is described in the specification as filed.

In view of the above, it is respectfully claims 3, 23 and 24 comply with 35 U.S.C. 112, first paragraph. Therefore, the withdrawal of this rejection is respectfully requested.

Claim 24 has been rejected under 35 U.S.C. 112, second paragraph as being indefinite. Claim 24 is supported by page 10, line 1 – page 11, line 16 of the present application. It is respectfully submitted that one of ordinary skill in the art when reading claim 24 in view of the specification would understand claim 24. Therefore, it is respectfully submitted that claim 24 is in all aspects in compliance with 35 U.S.C. 112, second paragraph. Therefore, the withdrawal of this rejection is respectfully requested.

Claim 6 and 10-14 have been rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 1 and 6-10 of U.S. Patent Number 7,382,766. Claims 6 and 10 have been amended to recite additional subject matter that is different from that recited in claims 1 and 6-10 of the prior patent. Therefore, the withdrawal of this rejection is respectfully requested.

Claims 1, 15-18 and 22 are rejected on the ground of non-statutory obvious type double patenting. A Terminal Disclaimer is submitted herewith to overcome the non-statutory obvious type double patenting rejection. Therefore, the withdrawal of this rejection is respectfully requested.

Claims 1-5 and 15-22 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 4,737,950 to Fechalos in view of U.S. Patent Number 5,737,333 to Civanlar.

The Examiner rejected claims 1-5 and 15-22 under 35 U.S.C. 103(a) on the grounds that it would have been obvious to one ordinary skilled incorporated the teaching of Civanlar et al. into the teaching of Ferguson et al.. According to the Examiner, Fechalos fails to explicitly teach converting the digital voice data into MAC frames to be relayed to the LAN interface and Civanlar et al. teaches in Fig. 4, a Routel that includes plurality LAN adapters to receive telephone calls to be converted into MAC frames by LAN adapters to be relayed over the LAN interface (see col. 10, lines 18-40).

However, col. 10, lines 18-40 of Civanlar teach nothing but a block diagram view of an exemplary embodiment of Routel 103 and telephone adapter 163, which may be of various types such as ISDN BRI, ISDN PRI and modems, for interconnecting Routel 103 to telephone network 167. Precisely Civanlar describes a system for data communication, and no telephone is connected to telephone adapter 163. Thus, there is no teaching in Civanlar of converting digital voice data into MAC frames as recited in the rejected claims.

In comparison, embodiments of the present invention are directed to realize voice communication on LAN or IP-network, which is called VoIP (Voice over IP). Therefore, a voice is converted into MAC frame or IP packet. For example, independent claims 1, 10, 15 and 18 recite that voice data is converted into various packets and frames. Also a jitter extinction function may be provided that helps to maintain QOS (quality of service) on asynchronous networks like LAN or IP network. Independent claims 6 and 10 have been amended to recite the jitter extinction feature.

Accordingly, it is possible to combine a voice system with a data system, which greatly contributes to reduce the cost of telecommunication infrastructure. That feature is neither taught nor suggested by the cited art.

Fechalos teaches a concentrator, but does not teach voice communication LAN or IP-network. In particular, the interfaces in HOST SWITCHING SYSTEM 12 of Fecholes are T1, which is for circuit switching system.

It is therefore believed that claims 1-6, 12-16, 18-25 are neither obvious over nor suggested by the prior art documents Fechalos et al. and Civanlar et al. even in combination.


If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

The Commissioner is authorized to charge any fee necessitated by this Amendment to our Deposit Account No. 22-0261.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Respectfully submitted,

Dated: 11/9/08

By 
Jeffri A. Kaminski
Registration No.: 42,709
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Applicant